

Attorney's Docket No.: 10559/188001/P8091 - ADI APD2799-1-US

reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

Section 41.37(c)(1)(v) thus deals separately with claims that are in means-plus-function or step-plus-function form ("means claims") and claims that are not ("non-means claims").

For non-means claims, a concise explanation referring to the specification and drawing is required only for independent claims. For means claims, a concise explanation for both independent claims and dependent claims argued separately is required.

None of the appealed claims are in means- or step-plus-function form. Thus, with all due respect, a concise explanation of the dependent claims argued separately is not required.


The Office Action's allegation that the Appeal Brief is not in compliance with Section 41.37(c) is thus in error.

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No fees are believed due. Please apply any other charges  
or credits to deposit account 06-1050.

Respectfully submitted,

Date: 01/24/05

  
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